

IN RE:

GIOVANNI MARIN IRIZARRY  
WALESKA OLIVO SANTIAGO  
DEBTOR(S)CASE NO. 19-04547-BKT  
CHAPTER 13**\*\*AMENDED DOCUMENT\*\*****TRUSTEE'S REPORT ON CONFIRMATION**

1. The applicable commitment period is: 5 years
2. The liquidation value of the estate is \$: To be determined
3. The general unsecured pool is \$: To be determined (preliminary unsec-pool \$108.29 x 60 = \$6,797.40).

AMENDED PLAN DATE: August 09, 2019

PLAN BASE: \$13,800.00

TRUSTEE'S COMMENTS AND RECOMENDATIONS DATED: 1/23/2020☐

FAVORABLE

☒

UNFAVORABLE

**1. [X] FEASIBILITY 11 USC § 1325(a)(6):****Debtor has current month arrears \$230.00.****2. [X] UNFAIR DISCRIMINATION § 1322(b):****Debtor listed in Schedule A/B a 2018 Honda CRV , however, per FBPR's proof of claim #4 is a lease, thus, provision in plan should be placed at pr 6.1.****3. [X] FAILS DISPOSABLE INCOME TEST § 1325(b)(1)(B):**

**. SCMI line 12 discloses vehicle operation expense: Using the IRS Local Standards for \$1,016.00, per trustee mean test calculation this standard is in the amount of \$474.00. Debtor needs clarify how he reached the amount \$1,016.00 as expenses. b. Provide evidence for the following: \* Optional telephones and telephone services in the amount of \$60.00, SCMI line 23. \* Continuing contributions to the care of household or family members in the amount of \$150.00, SCMI line 26, not listed in Schedule J. \* Additional food and clothing expenses in the amount of \$45.00 SCMI line 30. c. Residential lease contract discloses that debtor will pay \$55.00 for Homeowner's association or maintenance, however, Schedule J line 4c discloses a payment of \$100.00.**

**4. [X] FAILS LIQUIDATION VALUE TEST § 1325(a)(4):**

**Debtor disclosed more that 20 firearms in the amount of \$2,500.00 ; provide an estimated for each firearm and amend Schedule A/B accordingly.**

**[X] OTHER:**

a. All debtor's income evidence is missing. Debtor only submitted a py stub for 2 -15-2019. b. Joint debtor's income evidence missing: All July. c. Unsecured-pool should be disclosed at part 5.1 box 1 of the plan. d. Provide maturity date for retirement loan. e. Provide evidence of payment for vehicle's daughter in the amount of \$200.00 monthly. Also, provide evidence of \$350 for allowance for daughter. f Provide evidence of preferential payments to Coop Minillas (payroll deduction); Marcus Goldman (thru bank statements), Credit Cards - Sam's, JC Penny, Macys, 2 Chase, Pentagon, FirstBank. Provide paystubs and bank statements from April thru August 2019. Also,, Amend SOFA accordingly. g. Amend SOFA to disclose adversary proceeding against Dra. Elizabeth Pacheco. Debtors alleges that adversary proceeding was filed on September 9, 2019 in the amount of \$100,000.00 Amend SOFA and Schedule A/B" accordingly. h. Debtors alleged that they are legally married. A document that debtors were divorced was submitted to the Trustee. They alleges that they requested during the 30 days after the divorce judgement that the judgement be vacated. Provide evidence of State Court Resolution.

NOTICE: This report anticipates Trustee's position as per 11 USC § 1302(b)(2) a copy of which has been served upon counsel for debtor(s). Copies are available to parties in interest at the Trustee's Office.

/s/ Pedro R Medina  
Pedro R Medina

Atty: JESUS ENRIQUE BATISTA

USDC #226614  
**ALEJANDRO OLIVERAS RIVERA**  
Chapter 13 Trustee  
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